

Message Text

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PAGE 01 STATE 086371

17

ORIGIN EB-11

INFO OCT-01 ARA-16 EUR-25 IO-14 ISO-00 AID-20 CIAE-00

COME-00 FRB-02 INR-10 NSAE-00 RSC-01 TRSE-00 XMB-07

OPIC-12 SP-03 CIEP-02 LAB-06 SIL-01 OMB-01 L-03

NSC-07 SS-20 STR-08 CEA-02 /172 R

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TREAS:JWALLAR

STR:JMCNAMARA(INFO)

ARA/BR:JSLATTERY

EUR/CE:LHEICHLER(INFO)

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R 262325Z APR 74

FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA

INFO AMEMBASSY BONN

USMISSION GENEVA

AMCONSUL RIO DE JANEIRO

UNCLAS STATE 086371

E.O. 11652: N/A

TAGS: ETRD, BR

SUBJECT: ANTIDUMPING PROCEEDINGS: RAPID TRANSIT VEHICLE
SEATS FROM BRAZIL

REF: BRASILIA 2866(NOTAL)

1. PHRASE REFERRED TO IN PARAGRAPH 1 OF REFTTEL CONCERNING
THE PREVENTION OF ESTABLISHMENT OF A U.S. INDUSTRY IS
PROBABLY NOT AT ISSUE IN ANTIDUMPING PROCEEDING ON BRAZIL-
IAN RAPID TRANSIT VEHICLE SEATS. U.S. COMPLAINANT IN
VEHICLE SEAT CASE, THE AMERICAN SEATING CO., ASSERTS THAT
SALES AND FUTURE OFFERS OF SALES OF MERCHANDISE IN QUES-
TION, ALLEGEDLY SOLD AT LESS THAN FAIR VALUE, HAVE CAUSED
OR WILL CAUSE INJURY TO A U.S. INDUSTRY. NORMALLY,
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PAGE 02 STATE 086371

OFFICIAL ANTIDUMPING PROCEEDING NOTICE PUBLISHED IN

FEDERAL REGISTER DOES NOT INDICATE WHETHER EVIDENCE ON RECORD SPECIFICALLY RELATES TO QUESTION OF INJURY, LIKELIHOOD OF INJURY, OR PREVENTION OF ESTABLISHMENT OF A U.S. INDUSTRY.

2. ONLY RECENT CASE WHERE A DOMESTIC COMPLAINANT HAS ARGUED THAT AN INDUSTRY WAS PREVENTED FROM BEING ESTABLISHED CONCERNS REGENERATIVE BLOWER/PUMPS IMPORTED FROM WEST GERMANY. IN THAT CASE COMPLAINANT CONTENDED THAT PLANS FOR CONSTRUCTION OF A PRODUCTION FACILITY WERE FAR ADVANCED, THAT IT HAD MADE SIZEABLE OUTLAYS FOR NEW PLANT

AND EQUIPMENT, AND THAT IMPORTED MERCHANDISE ALLEGEDLY SOLD AT LESS THAN FAIR VALUE, WHICH WOULD COMPETE DIRECTLY WITH PRODUCTS OF THE AMERICAN FIRM, THREATENED TO RETARD THE ESTABLISHMENT OF A DOMESTIC INDUSTRY. THAT CASE IS NOW UNDER REVIEW AT THE TARIFF COMMISSION FOLLOWING THE TREASURY'S DETERMINATION ON FEB. 25, 1974 THAT SALES AT LESS THAN FAIR VALUE HAD OCCURRED. KISSINGER

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Message Attributes

Automatic Decaptioning: X
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Draft Date: 26 APR 1974
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Disposition Approved on Date:
Disposition Authority: n/a
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Disposition Event:
Disposition History: n/a
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30 JUN 2005

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TAGS: ETRD, BR, US, THE AMERICAN SEATING CO
To: BRASILIA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005